



**ROME DIVISION
CIVIL MINUTE SHEET**

IN OPEN COURT 0 IN CHAMBERS

DATE: 08/25/04 TIME: 3.0 HRS.

HONORABLE HAROLD L. MURPHY

**SAMUEL M. JOHNSTON
COURTROOM DEPUTY**

**DENNIS J. REIDY
COURT REPORTER**

**IN RE: TRI-STATE
CREMATORIAL LITIGATION**

**ROBERT SMALLEY
KATHERINE BARNETT
ROBERT DARROCH
ELIZABETH ALEXANDER**

V.

**CASE NO. 4:02-CV-41-HLM
MDL: 1467**

**FRANK JENKINS
J.J. WALKER
STEWART JAMES**

CAUSE CAME ON FOR 0 JURY 0 NON-JURY TRIAL ON THE MERITS. Came the parties in person and/or as shown above.

PLAINTIFF(S) 0 REQUEST OF CHARGE 0 VOIR DIRE 0 TRIAL MEMO/BRIEF 0 STATEMENT OF CONTENTIONS

DEFENDANT(S) 0 REQUEST OF CHARGE 0 VOIR DIRE 0 TRIAL MEMO/BRIEF 0 STATEMENT OF CONTENTIONS

PLAINTIFF(S) 0 PROPOSED FINDINGS OF FACT AND CONCLUSION OF LAW

DEFENDANT(S) 0 PROPOSED FINDINGS OF FACT AND CONCLUSION OF LAW

0 Whereupon the Court ordered that a jury be impaneled to try said issues, and after the Court had qualified the jurors for cause, and after counsel had exercised all peremptory challenges, the jurors selected to try said issues and were

sworn, to wit:

1. LILLIE WYLENE COTTON	5. JENNIFER McGILL	9.
2. KEVIN L. SMITH	6. JAMES PATRICK STEELE	10.
3. RONALD CARL PPHILLIPS	7. TIMOTHY A. TRAMMELL	11.
4. MARK EDWARD ROSIEK	8. TAMMY EARLYNE TAYLOR	12.

0 THE RULE OF SEQUESTRATION 0 WAS 0 WAS NOT INVOKED

HEARING/PRE-TRIAL/ EVIDENCE:

- IN CHAMBERS:: PARTIES DISCUSS THE TRIAL SCHEDULE FOR TODAY; CT. ADVISED IT WILL RECESS EARLY - MID AFTERNOON.
 - JURY TRIAL BEGINS - PRELIMINARY INSTRUCTIONS BY THE CT. TO THE JURY;
 - OPENING STATEMENTS; PLF. CASE: CHARLES P. BREWER, SWORN; PLF. EX. 252A - 252E, 108, 95, 42, 43, 225, ADMITTED; CT RECESSED FOR THE DAY.

VERDICT:

JUDGEMENT:

COURT ADJOURNED AT: 1:24 P.M. UNTIL 8/26/04 @ 9:30 a.m.

0 UNTIL FURTHER ORDER

**0 JURORS EXCUSED UNTIL THE ABOVE TIME UNDER THE USUAL CAUTION
OF THE COURT.**

JURORS EXCUSED FOR THE TERM

0 JURORS EXCUSED AND DIRECTED TO RETURN TO THE JURY ASSEMBLY ROOM

EXHIBITS RETURNED TO COUNSEL FOR **PLAINTIFF**
 DEFENDANT
 COURT REPORTER
 RETAINED BY THE COURT